

EXHIBIT 2



Jessica Morton

Woonasquatucket River Watershed Council v. Department of Agriculture, No. 25-97 (D.R.I.)

4 messages

Jessica Morton

Thu, Apr 17, 2025 at 4:17 PM

To: "Schwei, Daniel S. (CIV)"

"Freidah, Andrew F. (CIV)"

"Sirkovich, Eitan R (CIV)"

Cc: Robin Thurston

, Kevin Friedl

Bcc: Jessica Morton

Daniel, Andrew, Eitan,

I hope you're all staying well. I'm writing to follow up on the status report you submitted in this case yesterday.

First, you noted in the status report that Interior and USDA had "not yet provided written notification of the Court's Order, but are in the process of providing such written notification." Can you please confirm whether those agencies have now provided that written notification, and whether you plan to file a copy of those notifications with the Court?

Second, you noted that Energy, EPA, HUD, Interior, and USDA were "actively working through the process of resuming all appropriate funding disbursements pursuant to the Court's Order." Can you please provide a status on that process, and when the agencies expect to come into compliance by resuming those disbursements?

Third, we note that your language (both in the status report and the HUD notice) refers only to "disbursements"; as you are aware, the Court ordered these agencies to "take immediate steps to resume" not only disbursement and payment, but also "processing" of already-awarded funding appropriated under the IRA or IIJA. This order therefore covers, for example, processing steps leading up to disbursement, such as the closing of Plaintiff Codman Square NDC's HUD award (which--at risk of restating the obvious--had already been awarded). Can you please confirm that defendants understand their obligations to include "processing," and will be "tak[ing] immediate steps to resume the processing" of Codman Square NDC's already-awarded funding, as well as that of those similarly situated?

All the best,
Jessica

--



Jessica Morton

Senior Counsel

Democracy Forward

she/her

Phone:

Email:

Website: democracyforward.org

When we fight, democracy wins.

Democracy Forward's team works across multiple time zones so my working hours may not be the same as yours. Please feel free to read, act on, and respond to my messages at a time that works for you.

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Freidah, Andrew F. (CIV)

Thu, Apr 17, 2025 at 4:33 PM

To: Jessica Morton [REDACTED], "Schwei, Daniel S. (CIV)" [REDACTED], "Sirkovich, Eitan R (CIV)" [REDACTED]
Cc: Robin Thurston [REDACTED], Kevin Friedl [REDACTED]

Jessica,

We are in receipt of your email. We will follow up with the agencies, and get back to you as soon as we can.

Best,

Andrew

[Quoted text hidden]

Kevin Friedl [REDACTED] Fri, Apr 18, 2025 at 3:41 PM
To: "Freidah, Andrew F. (CIV)" [REDACTED]
Cc: Jessica Morton [REDACTED], "Schwei, Daniel S. (CIV)" [REDACTED], "Sirkovich, Eitan R (CIV)" [REDACTED], Robin Thurston [REDACTED]

Andrew,

What can you provide by way of update on these three issues? We're concerned by what we're hearing from recipients that funds remain inaccessible. It also appears that, three days after the Court's order, USDA and Interior have not even provided notice of the decision.

Thank you,
Kevin



Kevin Friedl
Senior Counsel
Democracy Forward

[REDACTED]
[REDACTED]
democracyforward.org

Admitted only in New York; practice supervised by D.C. Bar members.

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[Quoted text hidden]

Freidah, Andrew F. (CIV) [REDACTED] Fri, Apr 18, 2025 at 4:19 PM
To: Kevin Friedl [REDACTED]
Cc: Jessica Morton [REDACTED], "Schwei, Daniel S. (CIV)" [REDACTED], "Sirkovich, Eitan R (CIV)" [REDACTED], Robin Thurston [REDACTED]

Kevin and Jessica,

Thanks for your emails. By way of an update, Interior has posted a notice of the Court's Order here:
<https://www.doi.gov/grants/policies-and-guidance>. I can also confirm that Interior has unpaused IRA/IIJA

funding. We are still in the process of gathering information from the agencies and will, of course, further address compliance with the Court's Order at Monday's status conference.

Best,

Andrew

[Quoted text hidden]